

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO
THE GEORGIA BOARD OF DENTISTRY**

**RULE 150-5-.05 *REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL
HYGIENISTS*, AND NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Dentistry (hereinafter "Board") proposes an amendment to Georgia Board of Dentistry, Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Dentistry's web page at <http://www.sos.georgia.gov/plb/dentistry>. Copies may also be requested by contacting the Georgia Board of Dentistry office at 478-207-2440.

A public hearing is scheduled to begin at 9:30 a.m. on July 24, 2009 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before July 17, 2009. Written comments should be addressed to Randall Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Dentistry, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 1-866-888-1308.

The proposed rule amendment will be considered for adoption by the Georgia Board of Dentistry at its meeting scheduled to begin at 9:35 a.m. on July 24, 2009 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217. According to the Department of Law, State of Georgia, the Georgia Board of Dentistry has the authority to adopt the proposed rule amendment pursuant to authority contained in O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-9, 43-11-73, and 43-11-73.1

At its meeting on April 3, 2009 the Board voted that the formulation and adoption of this amended rule does not impose excessive regulatory cost on any licensee and any cost to comply

with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-9, 43-11-73, and 43-11-73.1

Also, at its meeting on April 3, 2009, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-9, 43-11-73, and 43-11-73.1 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of dentistry.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 18th day of June, 2009.

Randall D. Vaughn, Division Director
Professional Licensing Boards

Posted: June 18, 2009

**SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA BOARD OF DENTISTRY,
BOARD RULE 150-5-.05 *REQUIREMENTS FOR CONTINUING EDUCATION FOR
DENTAL HYGIENISTS.***

Purpose: To provide continuing education credit for dental hygienists providing volunteer care to indigent patients in Georgia.

Main Features: Provides continuing education credit for dental hygienists providing volunteer care to indigent patients in Georgia.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA BOARD OF DENTISTRY, RULE 150-5-.05,
*REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL HYGIENISTS.***

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added

**150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL
HYGIENISTS.**

(1) Dental hygienists licensed to practice in the state of Georgia shall maintain and furnish to the Board, upon request, official documentation of having completed a minimum of twenty-two (22) hours of continuing education during each biennium.

Official documentation shall be defined as documentation from an approved provider that verifies a licensee's attendance at a particular continuing education course. Official documentation of course attendance must be maintained by a dental hygienist for at least three (3) years following the end of the biennium during which the course was taken.

(a) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may also result in disciplinary action being taken against a licensee.

(b) Upon its own motion, the Board may at any time randomly select a percentage of actively licensed dental hygienists for the purpose of auditing their compliance with the continuing education requirements of the Board. Those licensees selected for an audit shall submit official documentation of their compliance within thirty (30) days of receipt of the audit letter. Failure to respond to an audit request in a timely manner shall be grounds for disciplinary action against a licensee.

(c) The continuing education requirements shall apply within the first biennium that a dental hygienist is licensed in Georgia. However, in order to meet the continuing education requirements during the first biennium, a newly licensed dental hygienist may submit as their continuing education hours proof of dental hygiene coursework taken within the previous two (2) years of the date of the renewal application from a university or other institution accredited by the Commission on Dental Accreditation of the American Dental Association. Following the first biennium that a dental hygienist is licensed in Georgia such licensees shall comply with the continuing education requirements set forth in Rule 150-5-.05 (2) and (3).

(d) The continuing education requirements shall not apply to dental hygienists who are on inactive status.

(2) Coursework, including home study courses, sponsored or approved by any organization recognized under Rule 150-3-.09(2) will be accepted.

(3) Course content:

(a) All courses must reflect the professional needs of the hygienist providing quality dental health care to the public;

(b) At least fifteen (15) hours of the minimum requirement must be scientific courses in the actual delivery of dental services to the patient or to the community.

(c) Four (4) credit hours for successful completion of the CPR course required by Georgia law offered by the American Heart Association, the American Red Cross, the American Safety and Health Institute, or the National Safety Council may be used to satisfy continuing education requirements per renewal period.

(d) Up to eight (8) hours of continuing education per year may be obtained by assisting the Board with administering the clinical licensing examination or by assisting the Board with investigations of licensees. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency or organization listed in 150-3-.09(2).

(e) Up to five (5) hours of continuing education per ~~year~~ biennium may be obtained by teaching dental hygiene at any ADA-approved educational facility. These hours shall be awarded, in writing, by the course director at the facility and approved by the Continuing Education Committee of the Georgia Board of Dentistry.

(f) Up to five (5) hours of continuing education per biennium may be obtained by providing, uncompensated dental hygiene care at a public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.

(4) Criteria for receiving credit for attending an approved continuing education course:

(a) Credit hours are not retroactive or cumulative. All credit hours must be received during the two (2) year period to which they are applied; and

(b) One credit hour for each hour of course attendance will be allowed;

(c) Only twelve hours of credit will be accepted per calendar day;

(d) Effective January 1, 2008, at least eleven (11) of the required twenty-two (22) hours of credit must be acquired in person at an on-site course or seminar; you are not allowed to acquire all CE hours through on-line courses, electronic means, journal studies, etc.

(5) Criteria for receiving credit for teaching an approved continuing education course:

(a) Credit hours for teaching an approved course must be obtained and used during the biennium that the approved course is taught;

(b) A dental hygienist that teaches an approved continuing education course is eligible to receive two (2) credit hours for each hour of coursework that he or she presents at a particular course. Credit will be given for teaching a particular course on one occasion only. A maximum of five (5) credit hours per biennium may be obtained by a dental hygienist by whom an approved continuing education course is taught;

(c) Only continuing education course designated in rule 150-5.05(2) as being sponsored or approved by recognized organizations will be considered for credit pursuant to this subsection of the rule. Courses taught by a dental hygienist prior to or a part of the process of obtaining his or her R.D.H. shall not be eligible for consideration pursuant to this provision of the rule;

(d) In the event that an audit is conducted of the continuing education hours of a dental hygienist who has taught a course approved by a recognized organization, the following shall be required to document the dental hygienist's role in presenting a continuing education course:

- (i) Documentation from an approved provider verifying that the dental hygienist presented an approved continuing education course;
- (ii) Documentation from an approved provider reflecting the content of the course;
- (iii) Documentation from an approved provider specifying the list of materials used as part of the course; and
- (iv) Documentation from an approved provider verifying the hours earned and the dates and times that the course in question was given.

(e) In the event that an approved continuing education course is taught by more than one dental hygienist, continuing education credit will be given for those portions of course work in which the dental hygienist is directly involved and primarily responsible for the preparation and presentation thereof. Continuing education credit will not be available to a dental hygienist whose participation in preparing and presenting an approved course is not readily identifiable.

(6) Criteria for receiving credit for providing uncompensated indigent dental hygiene care.

(a) Up to five (5) hours of continuing education per biennium may be obtained by providing uncompensated dental hygiene care at a public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.

(b) Dental hygienists may receive one hour of continuing education for every four hours of indigent dental hygiene care the dental hygienist provides, up to five (5) hours. Such continuing education credits will be applied toward the dental hygienist's clinical courses.

(c) All credit hours must be received during the two (2) year renewal period;

(d) Dental hygienists shall at all times be required to meet the minimal standards of acceptable and prevailing practice in Georgia;

(e) The Board shall have the right to request the following:

(i) Documentation from the organization indicating that the dental hygienist provided the services;

(ii) Documentation from the organization that it provided medical and/or dental hygiene services to the indigent and/or those making up the underserved populations;

(iii) Notarized verifications from the organization documenting the dental hygienist agreement not to receive compensation for the services provided;

(iv) Documentation from the organization detailing the actual number of hours spent providing said services; and

(v) Documentation from the dental hygienist and/or organization verifying the services provided.

Authority O.C.G.A. Secs. 43-11-7, 43-11-8, 43-11-9, 43-11-73, and 43-11-73.1